

Duncan et al.-U.S. Patent Appl. No. 10/686,736

I. Preliminary Remarks

This response is timely filed. Although the applicants believe no fees are necessary for consideration of this response, should the Patent Office determine that fees are required for such consideration of this response, permission is hereby granted to charge such fees to Deposit Account No. 03-3975.

II. Restriction

Citing 35 U.S.C. § 121, the examiner alleged that claims 1-6 are directed to 2 distinct inventions:

- Group I. Claims 1-5 (claims directed to a process for the preparation of L-lysine by culturing coryneform bacteria); and
- Group II. Claim 6 (claims directed to an L-lysine producing microorganism).

III. Election

The applicants hereby elect Group I (claims 1-5), without traverse.

IV. Conclusion

In view of the foregoing, the applicants submit that they have fully and properly responded to the outstanding restriction requirement. Should the examiner have any questions or comments regarding this response or the application, the examiner is invited to contact the undersigned at the number indicated.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



Thomas A. Cawley, Jr., Ph.D.

Reg. No. 40944

Tel. No. (703) 905-2144

Fax No. (703) 905-2000

TAC/PAJ/wks
P.O. Box 10500
McLean, VA 22102
(703) 905-2000